

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

In re: VINODH RAGHUBIR,
Petitioner

2022-102

On Petition for Writ of Mandamus to the United States Court of Federal Claims in No. 1:20-cv-00388-EGB, Senior Judge Eric G. Bruggink.

ON PETITION AND MOTION

PER CURIAM.

ORDER

Vinodh Raghubir petitions this court for writ of mandamus. The United States moves for summary dismissal. Mr. Raghubir moves to strike the United States' motion and also moves for leave to proceed *in forma pauperis*.

On August 28, 2020, the United States Court of Federal Claims dismissed Mr. Raghubir's complaint for lack of jurisdiction. Mr. Raghubir sought this court's review. On December 22, 2020, this court dismissed his appeal as frivolous. *In re Raghubir*, 831 F. App'x 957, 958 (Fed. Cir. 2020). On September 13, 2021, the Court of Federal Claims received from Mr. Raghubir a submission entitled

“Demand/Motion for Reinstatement.” On September 20, 2021, the Court of Federal Claims issued an order notifying Mr. Raghbir that his submission would not be docketed because his case was over.

Mr. Raghbir’s petition argues that the Court of Federal Claims’ September 20, 2021 order “violat[ed] federal law and rules of procedure,” which “resulted in vindictive proceedings.” Pet. at 2 (capitalization omitted). But he has not met the high standard for mandamus relief because, among other things, he has not shown a “clear and indisputable,” right to having his submission, filed almost a year after his case was over, considered by the trial court. *Will v. Calvert Fire Ins.*, 437 U.S. 655, 665–66 (1978) (internal quotation marks omitted).

Accordingly,

IT IS ORDERED THAT:

- (1) The petition is denied.
- (2) All pending motions are denied as moot.

FOR THE COURT

December 07, 2021

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court